



U.S. Department of Justice

United States Attorney  
Southern District of New York

USDS SDNY  
DOCUMENT

86 Chambers Street, 3rd Floor  
New York, New York 10007

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DATE FILED: 2/25/08

February 22, 2008

MEMO ENDORSED

BY FAX

Honorable P. Kevin Castel  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 2260  
New York, New York 10007

Re: Kalombo v. Sharahan  
07 Civ. 11350 (PKC)

*A application granted -  
SO ORDERED  
JSDJ  
2-25-08*

Dear Judge Castel:

I am writing to request leave to extend the Government's period to answer, move, or otherwise respond to Petitioner's habeas petition for thirty days, from February 25, 2008 until March 26, 2008. This is the Government's first request for an extension.

In your order dated December 27, 2007, Your Honor requested that the Government submit with its response "[t]ranscripts of all relevant proceedings, and the record in any proceedings." This office has made numerous attempts to obtain copies of Petitioner's administrative file from the Department of Homeland Security ("DHS"), beginning in January 2008. However, DHS did not locate a copy of the file until yesterday, February 21, 2008. The National Records Center in Kansas City sent the file to DHS' New York Field Office yesterday. The New York office expects to receive the file over the weekend, and has agreed to forward it to this office. In order to prepare an appropriate response, I would like to have an opportunity to review the file, and to discuss the contents with DHS. For these reasons, I respectfully request a brief extension of the Government's time to respond to the petition.

I have sought Petitioner's counsel, Judy Resnick's, consent to this request, but have not yet been able to reach her. I will try again to discuss this matter with her on Monday, and will provide the Court with an update after we have spoken.

I thank the Court for its attention to this matter.


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Respectfully,

MICHAEL J. GARCIA  
United States Attorney

By:

  
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TOTAL P.03